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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,227	07/11/2001	Debra M. Bell	303.752US1	9969
21186	7590	03/29/2004	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			NGUYEN, HAI L	
			ART UNIT	PAPER NUMBER
			2816	

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/903,227

Applicant(s)

BELL, DEBRA M.

Examiner

Hai L. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 and 74-84 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 and 74-84 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendments

1. Applicant's amendments filed on 01/25/04 has been received and entered in the case. The prior art rejections to the claims made in the Office Action mailed on 08/27/03 are now withdrawn in view of Applicant's amendments. However, Applicant's amendments have been considered but are now moot in view of the new following grounds of rejection as set forth below.

Claim Objections

2. Claim 47 is objected to because of the following informalities: line 1, "30" should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-29 and 79-84 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is indefinite because of the recited limitation "the internal signal" on line 12, lacks clear antecedent basis. It appears that this "internal signal" is the same as "an internal clock signal" recited on line 6 of claim 1. If so, then "the internal signal" should be changed to --the internal clock signal--.

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Claims 2-5 are rejected due to their dependencies on claim 1.

Claim 6 is similarly indefinite because of the recited limitation “the internal signal” on line 14; note the above discussion with regard to claim 1.

Claims 7-12 are rejected due to their dependencies on claim 6.

Claims 13 and 22 are similarly indefinite because of the recited limitation “the internal signal” on the last line; note the above discussion with regard to claim 1.

Claims 7-12 and 23-29 are rejected due to their dependencies on the base claims.

Claim 79 is indefinite because of the recited limitation “the ... internal clock signals”, on line 7, lacks clear antecedent basis. It appears that this “internal clock signal” is the same as “an internal signal” recited on lines 5-6 of claim 59.

Claims 80-81 are rejected due to their dependencies on claim 79.

Claim 82 is indefinite because of the recited limitations “the ... internal clock signals”, on lines 7 and 11, lack clear antecedent basis. It appears that this “internal clock signal” is the same as “an internal signal” recited on lines 5-6 of claim 82.

Claims 83 and 84 are rejected due to their dependencies on claim 82.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-19, 21-27, 29-38, 40-47, 74, and 76-84 are rejected under 35 U.S.C. 102(e) as being anticipated by Hassoun et al. (US 6,201,424).

With regard to claims 41 and 74, Hassoun et al. discloses in Figs.3-12 a delay locked loop (DLL), and a method of use thereof, comprising a plurality of delay stages (310, 350, 1040) for applying an amount of delay to an external clock signal (302) to generate a first delayed signal (P_CLK_N-1) and a second delayed signal (one of a plurality of delayed signals D_CLK, P_CLK_1, P_CLK_2 ...); a selector (340) for selecting between the first and a second delayed signals to provide an internal clock signal (O_CLK), a command react circuit (330, 1030) connected to the selector, the command react circuit including a first input for receiving a command signal (CFG), a second input for receiving a phase detect signal, and an output node responsive to the command and phase detect signals for providing a command set signal to enable the selector to replace the first delayed signal with the second delayed signal when the command signal is activated while the external and internal clock signals are synchronized, and to enable the selector to replace the second delayed signal with the first delayed signal when the phase detect signal is activated and the command signal is not activated; a phase detector (320) for comparing the external and internal clock signals to produce shifting signals (625); and a controller (1030) connected to the delay stages for adjusting the amount of delay based on the shifting signals when the external and internal clock signals are not synchronized (see column 11, lines 36-55).

With regard to claims 42-47, Hassoun et al. also meets the claimed limitations in these claims.

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Claims 1-7, 9-14, 16-19, 21-23, 25-27, 29-38, 40, and 76-84 are similarly rejected. Note the above discussion with regard to claims 41-47.

With regard to claims 8, 15, and 24, Hassoun et al. also meets the claimed limitations in these claims.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 20, 28, 39, 48, 49, and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hassoun et al..

With regard to claim 48, note the above discussion with regard to claim 41, the of Hassoun et al. meets all of the claimed limitations except for the limitation that the command react circuit (140 in instant Fig. 1) further comprising a third input for receiving a phase lock signal (PHLOCK), the phase lock signal being activated when the external and internal clock signals are synchronized. However, it would have been obvious to one of ordinary skill in the art to implement circuitry to generate a phase lock signal, as recited in claim 48, to indicate whenever the output clock signal is locked with the external clock input. Therefore, it would have been obvious to one of ordinary skill in the art to utilize that phase lock signal with the prior art in order to prevent the command react circuit inadvertently activated when those clock signals are not locked.

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Claims 49 and 75 are rejected for similar motivation; note the above discussion with regard to claim 41.


Claims 20, 28, and 39 are similarly rejected. Note the above discussion with regard to claim 48.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai L. Nguyen whose telephone number is 571-272-1747 and Right Fax number is 571-273-1747. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The fax phone numbers for the organization where this application or proceeding is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1562.

HLN 
March 22, 2004


TIMOTHY P. CALLAHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800